

Disarmament and the Transition in Burundi: How Soon?

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INTRODUCTION

Burundi is moving through a period of political transition that is being closely observed by those within and outside the country. In October 2004 the three-year transitional government in Burundi was extended for a further six months by a summit of regional leaders in Nairobi. The value of this extension depends entirely on how it is used by the current leaders in Burundi. Whether it will heighten or reduce tensions depends largely on whether the political parties in Burundi have the will to implement the various agreements that underpin the peace process. Activities leading to the end of the six-month extension period will have a direct bearing on the future of the country. The key question therefore is: what should be the priorities for stakeholders in the Burundian peace process to ensure a peaceful transition?

This paper assesses the situation in Burundi with the focus on disarmament initiatives in the period to the end of 2004. In order to elucidate the complexities involved in the disarmament process, which mirror those of the entire peace process, it first reviews the current situation in Burundi.

The conflict in Burundi has its roots in late 1993, with the assassination of the country's first democratically elected president, Melchior Ndadaye. The paper traces the various initiatives that are currently in place to help reconcile and convince the warring parties in Burundi to lay down their arms and opt for the ballot to decide the country's future. The research is based on fieldwork and interviews conducted by the author during visits to Burundi in 2004.

Background to the Burundi conflict

Ten years of armed conflict have turned Burundi into an open theatre for the illicit arms trade, whose lethality has made almost every citizen a victim. In

the aftermath of the death of Ndadaye (who was a Hutu) fighting, mainly between Hutu rebels and the military, who were dominated by Tutsis, caused many deaths and rendered large areas of the country unsafe. This violence and underlying suspicion led to a deep sense of vulnerability within these ethnic groups. Hutus are demographically dominant, but often see themselves as vulnerable to the political and military power of the Tutsis. On the other hand, many Tutsis consider themselves part of a threatened minority.¹

The ethnic strife has made all Burundians a target for violence, with many fleeing to avoid fighting. These internally displaced persons (IDPs) are frequently viewed as dangerous by opposing groups: the Tutsi-dominated military often accuse internally displaced Hutus of being rebels, while many Hutus suspect that camps of displaced Tutsis are bases of militia activity.² Because of the conflict, hundreds of thousands of people have fled to the neighbouring Democratic Republic of the Congo (DRC), Uganda and Tanzania.³

On 6 April 1994 Ndadaye's successor to the presidency, Cyprien Ntaryamira, was killed when the plane he was travelling in with the Rwandan president, Habyarimana, crashed after being hit in a rocket attack while approaching Kigali airport. In accordance with the constitution, Sylvestre Ntibantunganya was named interim president.⁴ During the first half of 1994 ethnic tension increased as armed extremist factions within the Hutu and Tutsi communities attempted to establish territorial strongholds within the country. Violence continued to escalate in 1996 and the political tension intensified until July 1996, when the Burundian armed forces led a successful bloodless coup that saw Pierre Buyoya reinstated as the interim president of a new transitional republic.

In March 1998 the government initiated negotiations with the national assembly that saw (in June 1998)

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the national assembly and the government enter into a partnership agreement that led to the adoption of a Transitional Constitutional Act, opening the door to political negotiations.

Various African statesmen have spearheaded mediation efforts to end the Burundi conflict. The first facilitator was the former Tanzanian president, Julius Nyerere, followed by Nelson Mandela, the former South African president, and currently the South African deputy president, Jacob Zuma. After two and a half years of intense negotiations and international pressure, 19 Burundian groups, including political parties, the government and the military, signed the Arusha Peace and Reconciliation Agreement for Burundi (referred to interchangeably from now on as the Arusha Agreement or the Arusha Accord) on 28 August 2000. The accord recommended the establishment of an international commission of inquiry to investigate massacres committed in Burundi from 1962 to August 2000 - among other provisions. Under the Arusha Accord the parties additionally resolved to establish the Joint Ceasefire Commission (JCC) as a sub-committee of the Implementation Monitoring Committee (IMC). However, the accord did not include a ceasefire agreement, necessitating further negotiations that led to subsequent signings of various ceasefire agreements.

In November 2003 the country's largest rebel group, the *Conseil national pour la défense de la démocratie - Force pour la défense de la démocratie* (CNDD-FDD) faction led by Pierre Nkurunziza, and the government signed a comprehensive peace agreement, at the heart of which was army reform. Since then, fighting has ended everywhere except in the hills surrounding the capital Bujumbura, where Agathon Rwaswa's *Parti pour la libération du peuple hutu - Forces nationales de libération* (PALIPEHUTU-FNL) rebels are still waging war against the transitional government.

As Burundi prepares for elections at the end of the transitional period, a number of important issues still have to be settled. One of these is disarmament, followed by its inclusive components of demobilisation and reintegration (DDR) of ex-combatants, as provided in the various agreements signed by the Burundian parties. For a clearer understanding of the pre-election disarmament situation in Burundi, some of the major challenges facing the Transitional Government of Burundi (TGoB) should be highlighted. These issues include:

- the need to resolve the question of PALIPEHUTU-FNL (Rwaswa's faction, often referred to as the FNL);

- putting in place an agreed constitution;
- drawing up a plan for disarming, demobilising and reintegrating ex-combatants across the country;
- developing an agreed political power-sharing structure, integration of a new national army, repatriation, resettlement and reintegration of Burundian refugees in neighbouring countries, and resettlement of Internally Displaced Persons (IDPs);
- composition of the armed forces;
- release of political prisoners; and
- timely preparation for elections at the end of the transitional government.

Each of these is analysed below.

President Domitien Ndayizeye, a Hutu from the *Front pour la démocratie au Burundi* (FRODEBU) party, took power on 30 April 2003 to lead the second and final 18-month phase of a three-year transition period in Burundi. Ndayizeye's vice-president, Alphonse Marie Kadenge, is a Tutsi from the *Union pour le progrès national* (UPRONA) party. The preceding president was Pierre Buyoya, a Tutsi from the UPRONA party.

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Before being incorporated into the TGoB, the CNDD-FDD was the largest rebel group. It was divided into two factions, with Pierre Nkurunziza leading the larger faction and Jean Bosco Ndayikengerukiye the smaller one.⁵ Similarly, PALIPEHUTU-FNL has two factions. Agathon Rwaswa leads the major faction, while Alain Mugabarabona leads the smaller wing. All the rebel movements signed ceasefire agreements with the government in December

2002, with the exception of Rwaswa's faction, *Forces nationales de libération* (FNL).

There are several political parties in Burundi. They include the *Front pour la démocratie au Burundi* (FRODEBU), *Union pour le progrès national* (UPRONA), *Parti pour le redressement national* (PARENA), *Alliance burundaise-africaine pour le salut* (ABASA) and the *Rassemblement pour la démocratie et le développement économique et social* (RADDES). This means that multiple political parties are likely to put forward candidates in the forthcoming elections. The biggest challenge is the ethnic imbalance of the political parties and factions. Currently none appear to have formed any sort of coalition that encompasses the two major ethnic groups.

The end of a transition

The transitional government in Burundi was set up on 1 November 2001 under the Arusha Accord as



part of an effort to end the ten-year conflict. A pivotal point in the accord was sharing political power between the Tutsis and Hutus. Within this framework, it was agreed that during the first phase, which ended on 30 April 2003, Pierre Buyoya (Tutsi) would be the president and Domitien Ndayizeye (Hutu) his vice-president. This appeared to be a response to a communiqué that had been issued in February 2001 by the 14th Summit of the Regional Initiative on Burundi, in which the leaders expressed their disappointment that six months after the signing of the Arusha Accord the issue of the leadership of the transition had not been resolved.

The summit recommended to the signatories of the Arusha Accord that the three-year period of transition should be divided into two phases of 18 months each. The parties agreed that, in the first phase, there would be a transitional president from the group of ten pro-Tutsi parties commonly referred to as the G10 family, while the vice-president would be chosen from the group of seven pro-Hutu parties, referred to as the G7 family.⁶ The summit also recommended that, in the second phase, the transitional president should be replaced by the vice-president from the G7 family, while the president would come from the G10 family.⁷

Although there was speculation as to how smoothly power would be transferred at the end of the first phase, the process took place calmly with Ndayizeye replacing Buyoya after his tenure as leader. Alphonse Marie Kadenge, a Tutsi from the UPRONA party, became Ndayizeye's vice-president. An interesting aspect of the second phase of the Burundi interim government is that in certain areas, such as security, the vice-president's signature is required to validate Ndayizeye's decisions. This gives the UPRONA party powers to block decisions by the government whenever they deem necessary. FRODEBU did not enjoy similar powers when they held the vice-presidency in the first phase of the transition.⁸

The second half of the transition - expected to take Burundi's democratic efforts to fruition with elections in 2005 - places heavy responsibility on the transitional government. Several issues pose significant challenges to smooth elections and, until resolved, are likely to weaken the parties' adherence to the strategic objectives of the Arusha Accord. Two major issues have been identified by *L'état major général Intégré*.⁹ The first is the need to guarantee and maintain a balance between the two main ethno-political groups, especially during the remobilisation and reintegration of the armed groups into the transitional institutions. This is a funda-

mental but extremely delicate process. The second aspect, related to the first, is the need to form a new defence sector while ensuring a holistic DDR process that will be socio-economically productive for the ex-combatants.

The consistent refusal by the FNL to cease fighting the TGoB is of great concern to those supporting the peace process, not least because the FNL is estimated to have 3,500 fighters with 'back-bases' in eastern DRC, where it has built an alliance with the Mayi-Mayi Congolese militias and Rwandan Interahamwe.¹⁰ Following the FNL invasion of the Gatumba refugee camp during which an estimated 160 Congolese-Tutsi refugees were massacred, the leaders of the Great Lakes Regional Peace Initiative on Burundi declared the FNL a terrorist group.¹¹ This has minimised the space for any negotiations between the FNL and the transitional government. It is evident that as long as the impasse remains unresolved the group is likely to continue to be an unknown element in the peace process.

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The Burundi peace process entered a new phase with the signing of the Global Ceasefire Agreement between the Burundi government and the then main rebel movement, the CNDD-FDD, on 15 November 2003 in Dar es Salaam. Articles 1 and 5 of the Global Ceasefire Agreement call on the signatory parties to implement the Ceasefire Agreement of 2 December 2002, the Joint Declaration of Agreement of 27 January 2003 on the final cessation of hostilities, the Pretoria Protocol of 8 October 2003 on political, defence and security power-sharing in Burundi, the Pretoria Protocol of 2

November 2003 on outstanding issues of political, defence and security power-sharing in Burundi, and the Pretoria Protocol of 2 November 2003 on the Technical Forces Agreement.

With regard to power-sharing in the defence and military spheres, the Pretoria Protocol gives the CNDD-FDD of Nkurunziza 40 per cent of the senior officer positions with an ethnic balance. As for the police, the parties agreed on a structure of 65 per cent TGoB and 35 per cent for the CNDD-FDD of Nkurunziza. The gendarmerie is to be integrated into the army and the police, while the militia are to be disarmed under the supervision of the peacekeepers as soon as the cantonment and quartering processes begin. The intelligence services will fall under the control of the office of the president.¹² A number of structures have been instituted as vehicles for implementing the political agreements. These are discussed below.



Implementation Monitoring Committee

The Implementation Monitoring Committee (IMC) was established on 28 November 2000. Its mandate is defined in Protocol V of the Arusha Accord. The IMC is vested with the responsibility of monitoring, following up, supervising, coordinating and ensuring the effective implementation of all the accord's provisions. This responsibility includes making sure that all the parties respect the implementation timetable. A major responsibility of the committee entails giving guidance and coordinating the activities of all commissions and sub-commissions set up pursuant to each protocol of the accord. These committees include the technical committee to implement the procedures for the establishment of a national defence force, the technical committee to implement procedures for the establishment of the national police force, the ceasefire commission, the reintegration commission, and the national commission for the rehabilitation of displaced persons. Another fundamental responsibility of the committee is to decide on the admission of new parties to participate in the national political process.

The function of the IMC makes the body central to the peace process. This is evident in its composition, which includes 18 members from the Burundian signatories to the Arusha Accord (two are from the armed groups who were signatories to the ceasefire agreements with the TGoB, namely the CNDD-FDD of Ndayikengurukiye and the PALIPEHUTU-FNL of Mugabarabona). Other members are from Burundian civil society (six) and one each from the United Nations,¹³ African Union, European Union, the Regional Peace Initiative on Burundi, and the donor community - a total of 31 representatives.

In its operations in early 2004, the IMC, which holds its sessions every other month, recorded significant achievements, mainly in examining whether draft laws such as the electoral code, communal law, laws of the new defence and security forces and the law governing the post-transitional constitution are conforming with relevant clauses of the Arusha Accord.¹⁴ The IMC has also been instrumental in settling differences among the signatory parties or between them and other transitional institutions such as the TGoB, national assembly and senate.

Joint Ceasefire Commission

The Joint Ceasefire Commission (JCC) is a forum that brings together the Burundi Armed Forces (FAB) and the various armed groups to oversee the imple-

mentation of the ceasefire accords and discuss issues of reforming the army. The ceasefire agreements of 7 October and 2 December 2002 between the TGoB and CNDD-FDD (Ndayikengurukiye) and PALIPEHUTU-FNL (Mugabarabona), and between TGoB and CNDD-FDD (Nkurunziza), respectively called for the deployment of an international peace force and the establishment of the JCC to assist the parties in the implementation of the agreements. The responsibilities of the JCC are outlined in the Arusha Accord as follows:

- overseeing the implementation of the ceasefire agreements;
- monitoring the parties and investigating their violations of the ceasefire agreements;
- identifying armed groups;
- deciding on cantonment areas and the number of armed combatants to be placed in them;
- monitoring DDR and the disarmament of illegally armed groups in the country; and
- overseeing the reformation of the army.¹⁵

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In signing the Arusha Accord, the parties committed themselves to implementing provisions that spell out how the political and military powers in Burundi will be shared. Besides the sharing of power, the ceasefire agreement laid out the process for the DDR of former fighters into civilian life. An integrated military high command composed of the Burundi Armed Forces (FAB) and the CNDD-FDD has been working since January 2004 on modalities for integrating the army. The JCC has proposed an operational plan for disarmament and demobilisation, which the two sides partially implemented when on signing the ceasefire agreement the parties disengaged and as-

sembled their forces.¹⁶ The subsequent stalling of the DDR process has been linked to the shortage of resources and the fragile political environment in the country.¹⁷

Joint Operations Plan and the Technical Forces Agreement

The Joint Operations Plan (JOP) and the Technical Forces Agreement (TFA) were adopted by the JCC on 17 June 2004, following a discussion with the signatories of the ceasefire accords.¹⁸ The TFA outlines the structures and basis of the country's future national defence forces. The JOP aims at consolidating the peace process.

The main purpose of the JOP, as outlined in the *Joint Operations Plan for Pre-Disarmament, Combatant Verification, Military Integration and Demobilisation*



of *Armed Movements* of September 2003, is to provide exhaustive procedures and mechanisms for the disarmament, demobilisation and military integration of the members of the Burundian Armed Political Parties and Movements (APPMs).¹⁹ The JOP is recognised as a memorandum of understanding (MoU) between the African Mission in Burundi (AMIB), now the United Nations Operation in Burundi (ONUB),²⁰ the JCC, partners of the Multi-Country Demobilisation and Reintegration Programme (MDRP), and the *Commission Nationale pour la Démobilisation, Réinsertion et Réintégration* (NCDRR).

According to the terms of operations, the JOP will only target combatants who will participate in disarmament and demobilisation activities, while all verified APPMs who will not be integrated into the New Defence and Security Forces (NDSF) will be demobilised in accordance with the JOP.²¹ Dependents presenting themselves at disarmament points and/or demobilisation centres will be referred to the Ministry for Reinsertion, Rehabilitation and Recovery and the *Commission Nationale Pour la Réinsertion des Sinistrés* (CNRS).²²

The TFA is a key component of the Pretoria Agreement that provides the policy framework governing all military integration activities. The TFA provides for the transformation of the current national armed forces into a new military force to be known as the National Defence Force (NDF). This is expected to be put in place on completion of the DDR programme. However, a prerequisite for DDR depends strongly on total disengagement of forces and implementation of a permanent ceasefire.

The implementation of the mandate of the TFA is constructed in stages. The sequence will start with disengagement of forces, followed by cantonment of troops and eventually DDR of the former fighters. The TFA sets the timetable for each component of the process, using 2 November 2003 as the starting date. It shows the competence of each partner in the process, including ONUB, the JCC and the TGoB.

The major turning point of the Burundi peace process came with the signing of the global peace pact between the Burundian government and the main rebel group, the CNDD-FDD (Nkurunziza). For as long as this agreement is respected, all subsequent political peace processes in Burundi may invoke the global ceasefire agreement. The implication is that if the global ceasefire agreement suffers from structural irregularities, for example in terms of inclusiveness of parties, or is in any way

seen as skewed, the result may be a return to negotiations. Such a situation may arise if rebellions such as that being orchestrated by PALIPEHUTU-FNL (Rwasa) rebels intensify and oblige the TGoB to reconsider the rebels' demands or reject them.

The centrality of the global ceasefire agreement is based not only on the fact that it spells out how the military and political powers would be shared in Burundi, but also because it presents the structure for the programme for DDR.

Disarmament in Burundi – when and how?

The ceasefire agreements of 7 October and 3 December 2002 led to the deployment of AMIB and the subsequent establishment of the JCC under the coordination of the UN Office in Burundi.²³ The ceasefire agreement provided one of the best platforms (not seized at the time by the TGoB) for a wide range of reform activities that could have supported the country's confidence-building efforts, including a propitious point to embark on planning for DDR. The

opportunity re-emerged when the UN Security Council approved a peace-keeping force, ONUB, in resolution S/RES/1545 (2004) of 21 May 2004, setting the date of deployment as 1 June 2004. According to the resolution, ONUB would consist of a maximum of 5,650 military personnel, including 200 observers and 125 staff officers, up to 120 civilian police personnel, as well as civilian personnel.

The resolution expressed deep concern over the illicit flow of arms to armed groups and movements in Burundi, in particular those groups that were not parties to the peace process. The resolution called on arms suppliers to

halt such flows, as they were viewed as undermining the efforts of the Burundian peace process. The Security Council also requested the Secretary-General to conclude agreements with states neighbouring Burundi to enable ONUB forces to cross their borders in pursuit of armed combatants. It was essential to monitor, as far as possible, the illegal flow of arms across the national borders, including Lake Tanganyika, in cooperation with the UN Mission in the Democratic Republic of the Congo (MONUC).

Other tasks that are part of ONUB's mandate include promoting the re-establishment of confidence between the Burundian forces. This entails the monitoring and the provision of security at pre-disarmament assembly sites, the collection and disposal of weapons and military materiel, and the continuing disarmament of militias, as called for in

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the ceasefire agreement. The mission is charged with two other humanitarian roles, namely protecting civilians who are under imminent threat of physical violence and ensuring the protection of UN personnel, facilities, installations and equipment, as well as the security and freedom of movement of ONUB personnel. It is also mandated to conduct mine clearance activities.²⁴

With regard to disarmament, the UN Security Council authorised ONUB to use all necessary means to ensure respect for the ceasefire agreements through monitoring their implementation and investigating their violations, to carry out the disarmament and demobilisation activities of the national DDR programme combatants, and to continue to monitor the illegal flow of arms across the national borders. As a way of enhancing efforts for a peaceful transition period, ONUB's mandate includes the creation of security conditions for the provision of humanitarian assistance and facilitating the voluntary return of refugees and internally displaced persons. It includes contributing to the successful completion of the electoral process stipulated in the Arusha Agreement by ensuring a secure environment for free, transparent and peaceful elections.

In a communiqué in June 2004 the UN Secretary-General stated that the establishment of ONUB offers PALI-PEHUTU-FNL (Rwasa) a unique opportunity to heed the repeated appeals of the international community to resume peace negotiations with the transitional government in order to put a definite end to war. The Secretary-General further 'encouraged the government of Burundi to speed up repatriation and resettlement, and urged the political class to work towards the swift adoption of the Post-Transition Constitution, the Electoral Code and the Commune Act, as an assurance for safe and stable conditions under which elections would take place within the timeframe provided in the agreements'.²⁵

As Burundian society searches for a peaceful end to nearly a decade of conflict, it is critical that the process of disarmament is successful in order to limit the opportunity for a return to armed conflict. Thus it is important to review the disarmament process in Burundi, with emphasis on the progress that has been achieved so far. The international community has extended its support in various ways to ensure the success of the Burundi DDR programme. A multidimensional regional trust fund established by the World Bank estimated the cost of the DDR programme in Burundi at US\$80 million. Under this plan, the demobilised soldiers will receive a salary for 18 months, payable in three tranches. The report

adds that the ex-soldiers may get less if their numbers surpass the estimates.²⁶ In this context, in order to facilitate the cantonment and disarmament and demobilisation process, the parties pledged to provide the JCC and ONUB with complete information of their numbers of troops and equipment. This information would enable the two bodies to verify the numbers of fighters reporting to the cantonment areas for disarmament.

According to the JOP, after the designation of the pre-assembly areas, combatants will proceed to cantonment sites, then to disarmament corridors, and finally to integration and demobilisation areas. During this entire process the government troops would return to their barracks, while their weapons are deposited in armouries. Remobilisation for the new army would commence based on criteria designed by the parties to the TFA. Combatants who failed to meet the conditions for recruitment into the new security forces would be demobilised and handed to the National Commission for Demobilisation, Reinsertion and Reintegration (*Commission Nationale de Démobilization, Réinsertion et Réintégration*) - CNDRR.²⁷ To this end, an executive secretariat has been set up as defined in part III, sub-section (k) of the JOP of 4 September 2004. It is composed of senior army officers and civilians. Part III of the JOP sets out the pre-conditions for the success of the disarmament, military integration and demobilisation process. These needs and/or definition of obligations are as follows:

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- An effective and durable ceasefire is to be implemented among signatory parties to the Arusha Accord and/or subsequent ceasefire agreements.
- The FTA between the parties to the conflict specifies the criteria and process of integration of members of Armed Political Parties and Movements (APPMs) - *Partis et Movements Politiques Armées* (PMPA) - into the integrated New Defence and Security Forces (NDSF) and a mechanism to accomplish this process.
- The JCC and ONUB establish the mechanism to implement the provisions of the FTA and specify clear terms of reference for Joint Liaison Teams (JLTs).
- The JCC, upon the recommendation of the Technical Coordination Committee (TCC), establishes a schedule and deadline for the completion of disarmament, military integration and demobilisation activities.
- ONUB, in consultation with the JCC, is able to identify Disarmament Points (DPs) and Demobilisation Centres (DCs) as well as to facilitate DC preparation and sensitise APPM command



structures.

- ONUB deploys in sufficient strength to undertake disarmament activities and to protect ex-combatants, JCC, UN, Joint Liaison Teams (JLTs) and NCDRR personnel at each DP and DC.
- ONUB and JCC are capable of establishing and deploying JLTs.
- ONUB is able to protect ex-combatants during transit towards the provincial capital of their choice.
- The TGoB establishes the mechanisms to implement the provisions of the FTA for the integration of members of armed movements into the NDSF.
- The TGoB implements security sector reform as stipulated in the Arusha Accord and the FTA.
- The TGoB establishes the executive secretariat of the NCDRR (ES/NCDRR) capable of planning, coordinating and implementing demobilisation, reinsertion and reintegration activities.
- All the implementing partners are ready to carry out assigned responsibilities.

At one of its sittings in June 2004 the executive secretariat of the NCDRR elaborated on the projected objectives of the organisation.²⁸ The meeting acknowledged that the Burundi Armed Forces as well as APPMs in Burundi had undertaken massive recruitments in the previous ten years and that it was now necessary for the Burundian government, which was unable to support such a voluminous army, to disarm and demobilise some combatants, after the number to be reintegrated into the NDSF had been determined.

A presidential decree established the NCDRR in August 2003,²⁹ and since then the commission has been enhanced in various ways. In April 2004 the World Bank donated US\$33 million to Burundi toward the establishment of a project on demobilisation, reinsertion and reintegration. Consequently, the regional members of the Multi-Country Demobilisation and Reintegration Programme (MDRP) comprising Angola, Burundi, Congo Brazzaville, DRC, Central African Republic, Uganda and Rwanda contributed US\$45 million to the NCDRR programme, of which US\$3 million was to support a child soldiers project under UNICEF. Similarly, the government of Germany and the World Food Programme offered to support the programme, with Germany contributing US\$6 million. The World Bank offer is pending, awaiting fulfilment by the TGoB, of certain conditions, including promulgation of a law pertaining to donor aid, a presidential decree defining the status of a combatant, a ministerial ordinance defining the status of *gardiens*

de la paix,³⁰ and the adoption of two procedure manuals - one on the implementation of the finances and the other on financial management of the programme.³¹

The executive secretariat of the NCDRR remains non-committal about the planned commencement of the DDR programme, citing the need for the government of Burundi to fulfil some basic conditions. The first is the need for the TGoB and the APPMs to agree on who should be considered a combatant in order to qualify for benefits. Much as this demand may appear to be of little significance, stakeholders in the Burundi peace process need to understand its delicateness. At its most basic, failure to meet the expectations of the ex-combatants is likely to create disgruntled elements in the aftermath of the process. Similarly, although the war took a big toll on all citizens, it is not possible for the programme to satisfy all. Second, the government needs to define the criteria for remobilising the ex-combatants into the NDSF and tracking the rest into the NCDRR process.³² The third requirement, according to the executive secretary of the NCDRR, is for the government to fulfil the donor conditionalities so that more funds can be released.³³

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In order to accompany the demobilisation process and facilitate the transformation process of the ex-combatants, the National Programme on Demobilisation, Reinsertion and Reintegration (NPDRR) was created. This programme is mandated to study lessons learnt from similar programmes in other countries, namely South Africa, Mozambique, Chad, Sierra Leone, Northern Ireland, Eritrea, Ethiopia and

Rwanda.³⁴

The NPDRR has three main objectives. The first is demobilisation of the military and the APPM combatants, who will be integrated into the NDSF. The second is to facilitate the reinsertion of those demobilised into civilian life, followed by socio-economic reintegration that will enable them to lead peaceful, dignified and steady lives. The third is to lobby for the reallocation of national resources from the defence sector to the social and economic sectors.³⁵

According to the NCDRR document detailing the commission's basic conditions,³⁶ the assistance programme will cover four stages, namely disarmament, demobilisation, reinsertion and reintegration. On disarmament, the document spells out that the responsibility for disarmament will reside with the JCC and ONUB. On the disarmament process, the document stipulates that the ex-



combatants will either present themselves voluntarily or will be identified and then taken to demobilisation centres where the arms will be recovered, registered, stocked, and/or destroyed according to the procedures to be set by the JCC and ONUB. The UN mission is responsible for the security of combatants in disarmament areas, as well as during their movement to demobilisation centres.

An apparent challenge to the Burundi DDR process is that the NCDRR procedure document is general and non-conclusive on various issues, such as those concerning women soldiers. The documents simply state that the DDR programme will give women soldiers special attention related to their specific needs, such as security (by housing them separately from men in demobilisation centres) and hygiene, and offering them social-economic support that will allow them to reintegrate into society. The type and amount of support accorded to women ex-combatants is not specified. A similar case is that of child soldiers. The guiding document states that support to child soldiers will include family reunification with parents or guardians, social-psychological support to the traumatised, facilitation of access to education, and recreation in their communities of reintegration, while those over the age of 15 will be given professional training.

According to the NCDRR the burden of child soldiers will be shared with UNICEF, which is working with a national programme for the demobilisation and reintegration of such children. Focal points in all the provinces of the country have already been identified and individuals trained, while NGOs, which are to help in the reintegration process, have been identified. Other groups of foreign fighters and civilians enrolled by former Burundian rebel movements to increase the number of fighters would be handed to the Office of the UN High Commissioner for Refugees and the Burundian government, while all candidates selected from the former combatants for integration into the NDSF will undergo military training alongside selected candidates from the national armed forces.³⁷

In an effort to alleviate the situation of approximately 3,000 child soldiers, the TGoB, in collaboration with the International Labour Organisation's (ILO) international programme for the eradication of child labour, launched a three-year programme on the rehabilitation of former child soldiers in May 2004. The programme works in conjunction with a national child demobilisation and rehabilitation programme already in place. The new programme is funded by the US government, which is funding similar programmes in seven African countries,

including the DRC, Rwanda, and the Republic of Congo. Burundi adopted anti-child soldier policies when it ratified in 2002 the ILO Convention on the eradication of all forms of child labour.³⁸ The programme aims at rescuing child soldiers from rebel movements and rehabilitating them.

Concerning the disarmament of the defence militia and armed civilians, the disarmament programme will target the government defence militia, *gardiens de la paix*, as well as civilians. According to the arrangement, the government is responsible for disarming *gardiens de la paix* (often composed of mainly youth militia) monitored by the JCC and ONUB.

For ordinary civilians in possession of arms, the transitional government intends to create a special fund that will support an arms collection programme that will encourage civilians to hand in their weapons. This is supposed to be a voluntary arrangement, where those who prefer to keep their arms will be obliged to obtain permits, so that the government is able to record and keep records of who possesses what types of weapons.³⁹

The DDR process in Burundi, as proposed by the NCDRR, is set to run for four years, with two systematic objectives.

The DDR process in Burundi, as proposed by the NCDRR, is set to run for four years, with two systematic objectives. First, the programme will focus mainly on demobilisation and integration, and second, it will gradually reduce its integration process to coincide with a timeframe of four years.⁴⁰ If this is the case, then former child soldiers who will still be in need of support may be disenfranchised when the programme ends. The reality, as observed by the *Centre National de*

Volontariat au Burundi (CNVB), is that DDR is a long-term process that would last for more than four years.⁴¹ Human growth and development take time and societies take time to heal, hence the need to sustain the reintegration phase of the DDR programme for some time, or at least extend benefits to certain affected groups, such as children.

In 2004 a number of efforts to initiate the DDR process under ONUB had been registered. There were 11 pre-cantonment centres around the country by June 2004.⁴² These centres are located in demilitarised areas, with varying numbers of ex-combatants awaiting the beginning of the DDR process (see table).

Centre	Number of ex-combatants (approximate)
Kibuye	7,000
Ntamba	2,430
Gashingwa	3,000
Denga	321
Bambo	687
Kabumburi	251
Makamba	210
Kabonga	3,000
Bukeye	3,000
Karindo	6,000
Muyange	150

These reception centres are spread across the country and contain mostly the former combatants signatory of the Arusha Agreement. Within the camps, ex-combatants are grouped into groups of 10-15 people in order to maintain order, especially when receiving food rations from the humanitarian agencies and other donors supporting the feeding programme. The ex-combatants, still armed as they await the official disarmament programme, use the weapons in their possession to guard themselves against possible intruders, as ONUB peacekeepers are not involved in guarding them.⁴³ The role of peacekeepers at this stage is mainly to escort the agencies when going to deliver food to pre-cantonment centres. The feeding programme for the pre-cantonment ex-combatants is once a week. The food consists mainly of cassava flour, beans, palm oil, sugar, salt and 'ndagala' (a small fish found in Lake Tanganyika).

According to ONUB peacekeepers, the situation in pre-cantonment centres, where some combatants have now been for several months, poses a danger, as the combatants grow weary of waiting. This has led to some of them deserting the camps.⁴⁴ If this is not checked by implementation of the DDR process, there is a risk of more combatants deserting and a consequent loss of faith in the DDR programme. A hint of such discouragement was expressed by the CNDD-FDD (Ndayikengurukiye)'s spokesman, Jerome Ndiho, when he stated that his faction and that of the FNL (Mugabarabona) had only sent 192 combatants to the cantonment camps in Bubanza Province, whereas originally his faction had pledged to send 150 combatants per week until they reached 3,000. Now they would send no more until conditions improved at the sites.⁴⁵ Based on such sentiments and with continued delay in starting the DDR process, there is a risk of the combatants being re-recruited by other insurgent groups, such as PALIPEHUTU-FNL (Rwasa).

Disarmament challenges and the peace process

In February 2004 the TGoB, through the Ministry of the Interior, projected that preparations for elections could be handled within a period of eight months and elections could therefore comfortably take place at the end of the transition period, which, according to the Arusha Agreement, was the end of October 2004.⁴⁶ Subsequently the president and parties concerned developed an election calendar that set clear priorities necessary for successful elections. These included:

- establishment of an independent electoral commission;
- establishment of a constitutional commission charged with powers for drafting the constitution, the electoral code and the commune act;
- conducting a national census and subsequent reissuing of identity cards;
- submission of relevant drafts to parliament for vote;
- holding a referendum on the new constitution; and eventually
 - holding national presidential and legislative elections.⁴⁷

The role of peacekeepers at this stage is mainly to escort the agencies when going to deliver food to pre-cantonment centres.

On 28 May the TGoB put forward to the mediation team a new proposal on the election calendar in which it called for a 17-month extension, ending on 29 October 2005. The TGoB cited various reasons for this extension, including the need to finalise a ceasefire agreement with the FNL (Rwasa), the return of refugees and IDPs in order for them to take part in the elections, the need to set up a truth and reconciliation commission, finalisation of the on-going process of reintegrating the national army and subsequent withdrawal of FAB and CNDD-FDD soldiers from the public, and eventual disarmament of both demobilised soldiers and the population.⁴⁸ The regional leaders rejected this proposal at their 21st Summit on 5 June, calling on the TGoB to adhere to the transitional calendar as stipulated in the Arusha Agreement.

However, the TGoB agreed when the heads of state summit of the leaders of the regional initiative, in Nairobi on 15 October, decided to extend the electoral calendar by six months. The new calendar set 22 April 2005 as the date for presidential elections.⁴⁹ In the same vein the referendum to the interim constitution, which was due to take place on 20 October, was rescheduled. From the concerns raised by the transitional government it is clear that there are still enormous tasks to be done before preparations for elections are complete.

It is clear that as Burundi prepares for elections, challenges still loom, particularly in the political sphere, where, for example, the power-sharing arrangement between the TGOB and the CNDD-FDD remains unstable. After the signing of the power-sharing accord between the government and the CNDD-FDD (Nkurunziza) on 16 November 2003, four ministers from the movement, including its leader, Pierre Nkurunziza, joined the transitional government and were appointed to various ministerial positions. Nkurunziza was named minister of state in charge of good governance. The ministries of the interior, communication and public works went to the other three CNDD-FDD members.

In May 2004 the CNDD-FDD (Nkurunziza) announced its intention to suspend its participation in the government and the national assembly in protest at what it said were delays in the implementation of a ceasefire and power-sharing accord. The CNDD-FDD announced that its ministers would no longer participate in cabinet meetings and its representatives in the national assembly would boycott the activities of the House. Under the power-sharing accord, the CNDD-FDD is allowed to appoint two ambassadors, three governors, and 30 administrators and to occupy 20 per cent of the posts in the public administration. However, according to the CNDD-FDD, after six months these appointments had not been effected. Instead, only one CNDD-FDD member had been appointed to the post of general manager of the Burundi Textile Company (Cotebu). The CNDD-FDD soon carried out their threat, when 15 of their members of parliament boycotted the national assembly. This followed the entry of 13 retired officers into parliament and the election of two deputy secretary-generals in the assembly's bureau, bringing the number of officials at the bureau to eight instead of the six stipulated in the accord.⁵⁰

Another challenge arose when the government spokesman announced that the CNDD-FDD was opting to boycott just as the government was 'getting everything ready' to honour its pledges under the accord, adding that the delays in the implementation of the accord were due to difficulties the government had encountered in the management of the transitional period.⁵¹ Lack of trust and commitment to the various agreements reached by the parties to the TGOB, if tolerated, may betray the long-awaited peace, not only during the transitional period but also in the post-election time.

CONCLUSION AND OBSERVATIONS

Considerable effort has been invested in the Burundi

peace process, and for the first time in ten years, hopes of a peaceful ending are emerging. The need for Burundi to embark on its DDR programme before elections are held is of paramount importance. The TGoB has the responsibility, under the Arusha Accord, of rallying all parties in Burundi towards a peaceful society. It is, however, apparent that under the current circumstances Burundians remain very uncertain of what the future holds for them. This is also true of the armed political parties. This uncertainty and absence of a common vision for the future leaves everyone susceptible to the resurgence of armed conflict. Under the ongoing situation of conflict, the demand for arms is high, rendering the country vulnerable to arms trafficking syndicates. The *Small Arms Survey 2004*⁵² groups Burundi among the countries whose arms imports are more likely to be illicit than authorised.

The immediate step for the political parties and armed groups in Burundi should be to achieve sustainable practical disarmament.

The need for Burundi to embark on its DDR programme before elections are held is of paramount importance.

Sustainability of the DDR process in Burundi is fundamental in ensuring that ex-combatants do not return as combatants. The TGoB, in consultations with donors, could formulate a financial plan allowing for the quick disbursement of funds in order to start the DDR process. The transitional government has demonstrated willingness to implement the global ceasefire agreement by separately disengaging and assembling its forces, but the process lacks funds and a clear commitment to initiating the security sector integration process, which directly affects the DDR process.⁵³

As proposed by the UN Security Council, the TGoB should put in place measures to enable the FDD and any other combatants of Burundian origin in the DRC and other neighbouring countries to be repatriated voluntarily to Burundi.⁵⁴ Such an exercise would constitute a positive confidence-building measure towards Burundian combatants still outside the country.

What should be the role of the TGoB and various stakeholders in ensuring a peaceful transition in Burundi? The government of Burundi, with the support of the members of the regional initiative and the international community, needs to take steps such as:

- Speed up efforts to implement the Arusha Accord and subsequently organise elections within the Accord's timeframe in order to avoid an impending institutional vacuum. There is an urgent need for

the post-transition constitution to be approved through a national referendum.

- Lessen suspicion and tension among the various political parties by implementing the Global Ceasefire Agreement with regard to integration of the army prior to elections. The creation of a unified national defence force and the DDR programme are mutually reinforcing and should be carried out in a way that allows the two processes to complement each other. This calls for financial and technical assistance from the international community.
- Recognise that various channels may need to be explored to solve the FNL question in Burundi. Examples from other cases on the continent have shown that military solutions do not always lead to success. For example, insurgencies by the Sudanese Peoples' Liberation Army/Movement in Southern Sudan and the Lord's Resistance Army (LRA) in Northern Uganda have not been solved militarily. It should also be remembered that when the CNDD-FDD was refusing to join peace talks, the then president of the transitional government, Pierre Buyoya, commented: 'Sanctions against a rebel group do not help. You cannot control the way it gets weapons. Some among those who proclaim support for sanctions during the day turn into rebels' supporters during at night, and finally you thwart the chances of reaching a deal.'⁵⁵ The Gatumba massacre has illustrated how destabilising the FNL can be. Diplomatic channels, as opposed to isolationist strategy, should be used to bring back the FNL to the negotiating table.

2005 is highly expected to mark an end to transitional governments in the DRC and Burundi. This will take place in a region of porous borders with increasing lawlessness and strong cross-border ethnic loyalties. Heightened tensions are likely to emerge. Thus there is a need for active implementation of the ONUB mandate, including working with the TGoB to start the DDR process for long term peace in Burundi.

Notes

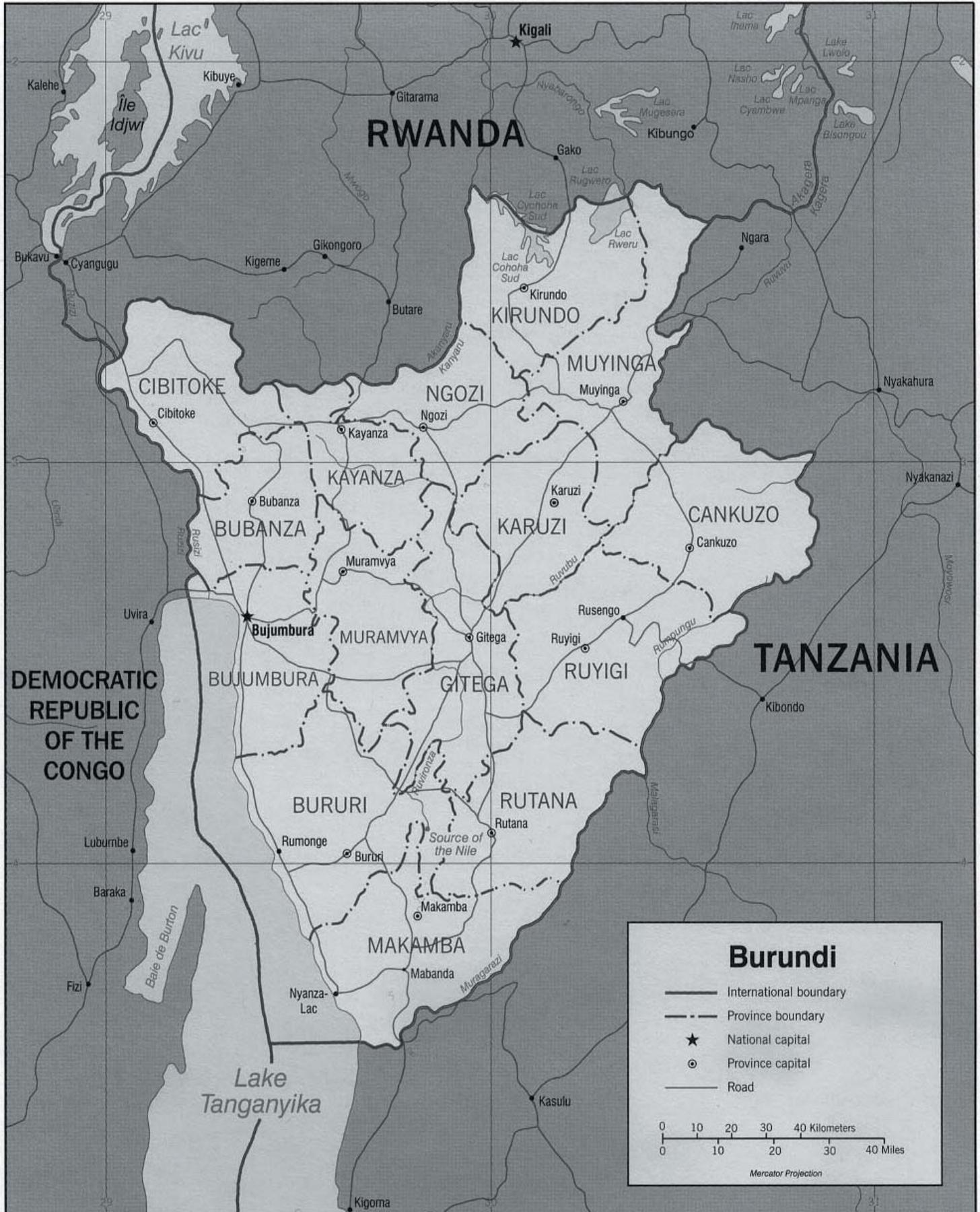
- 1 See 'Burundi- With peace at hand, the displaced need support to return home', Global IDP, at <<http://www.db.idpproject.org/Sites/idpSurvey.nsf/wViewSingleEnv/BurundiProfile+summary>> accessed on 16 July 2004.
- 2 US Committee for Refugees (USCR), 'Burundi: a patchwork of displacement', in Roberta Cohen and Francis Deng (eds), *The forsaken people - case studies of the internally displaced*, Washington, DC: Brookings Institution Press, 1998a.
- 3 See the UN Security Council Note (S/26757) of November 1993, which reported that an estimated 700,000 Burundian refugees had crossed into neighbouring countries.

- 4 Burundi Country Report 2003, at <<http://129.194.252.80/catfiles/2860.pdf>> accessed on 16 November 2004.
- 5 Negotiations between the TGoB and the CNDD-FDD (Nkurunziza) successfully culminated in the signing of the Comprehensive Ceasefire Agreement in Dar es Salaam on 16 November 2003.
- 6 Parties belonging to the G10 are UPRONA (Union for National Progress), ANADDE (National Alliance for Rights and Development), PSD (Social Democratic Party), INKINZO (Ijambo ry'Abanyagihugu), ABASA (Burundo-African Alliance for Salvation), RADDES (Rally for Democracy, Economic and Social Development), PIT (Independent Labour Party), PRP (Party for the Reconciliation of the People), PARENA (National Recovery Party) and AV INTWARI (Alliance des Vaillants) while the G7 group of parties are FRODEBU (Front for Democracy in Burundi), PP (People's Party), PL (Liberal Party), RPB (Burundi People's Movement), CNDD (National Council for the Defence of Democracy), PALIPEHUTU (Party for the Liberation of the Hutu People) and FROLINA (National Liberation Front).
- 7 See the report of the 14th Summit of the Regional Initiative on Burundi (S/2001/265) of 26 February 2001.
- 8 'Transition in Burundi: time to deliver', April 30 2003, at <<http://hrw.org/backgrounder/africa/burundi/burundi.htm>> accessed on 16 July 2004.
- 9 *L'état major général Intégré* is a committee of senior military officers drawn from the Burundi government forces and CNDD-FDD and mandated to work on modalities of establishing the new national armed forces. This committee was set up by presidential decree No 100/002 of 6 January 2004 and has 33 members drawn from both sides of the TGoB.
- 10 See 'Great Lakes - guns blaze, blood flows', in *BBC Focus on Africa Magazine*, October-December 2004.
- 11 Burundi Hutu faction declared 'terrorist' group, at <<http://www.ippmedia.com/ipp/guardian/20-04/08/19/18846.html>> accessed on 15 November 2004.
- 12 See Report of the Secretary-General to the Security Council on the situation in Burundi, S/2003/1146, paragraph 15.
- 13 The Special Representative of the UN Secretary-General is the chairperson of the Implementation Monitoring Committee. This mandate gives the UN a key role in helping the parties to respect the conditions of the Arusha peace accord.
- 14 Interview with representatives of IMC in Bujumbura on 18 June 2004.
- 15 The full composition and implications of the JCC are outlined in Article 5, paragraph 7, of Protocol V of the Arusha Agreement.
- 16 Interview with JCC members in Bujumbura, 22 June 2004.
- 17 Ibid.
- 18 See ONUB Press Release, ONUB/PIO/PR/06/2004 of 18 June 2004.

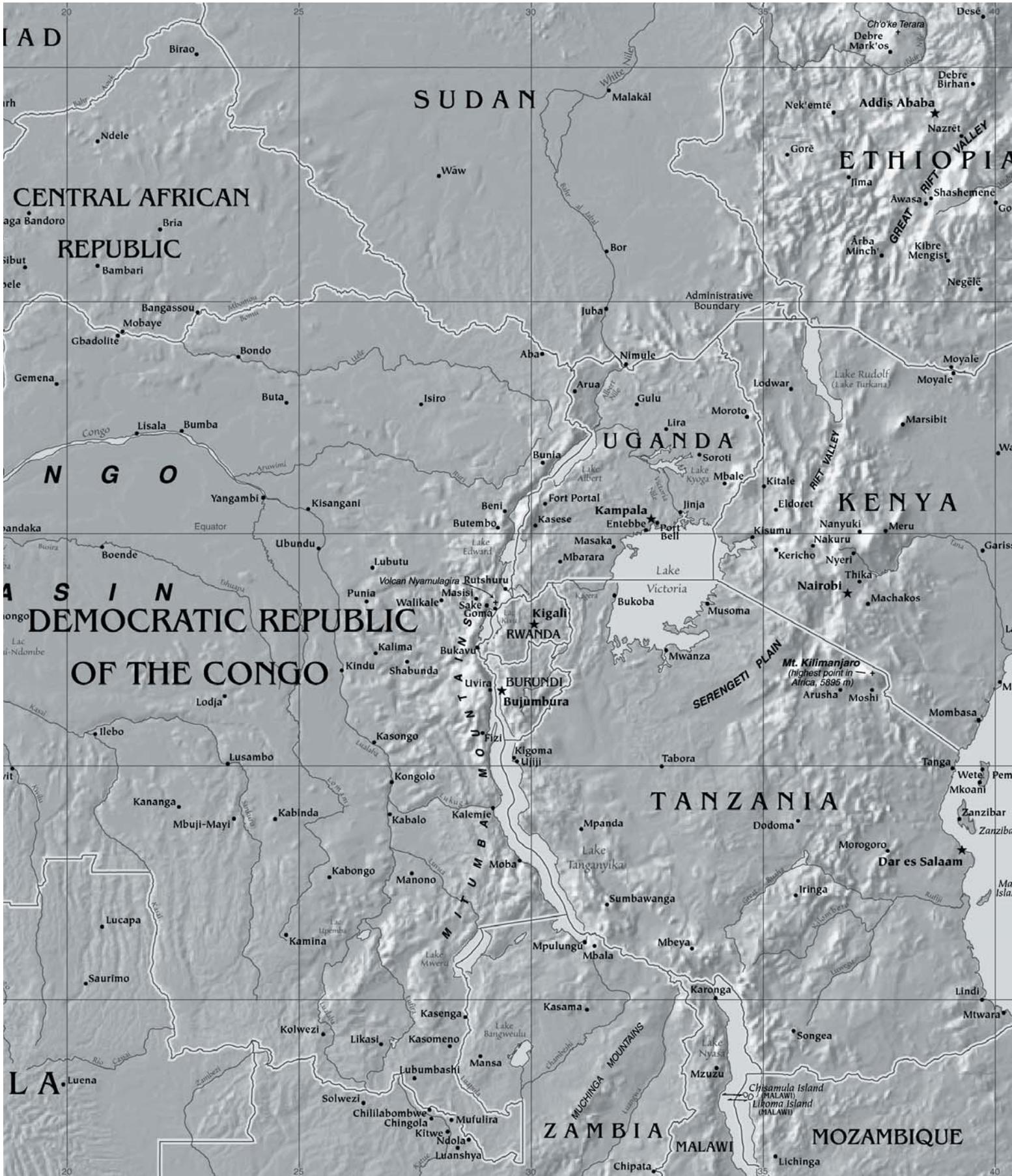


- 19 Burundian Armed Political Movements are those parties who have signed the Arusha Agreement or subsequent ceasefire agreements and have fighting forces. These are the CNDD-FDD (Ndayiken gurukiye), CNDD-FDD (Nkurunzinja), CNDD (Nya ngoma), PALIPEHUTU-FNL (Mugabarabona), FROLINA (Karumba) and PALIPEHUTU (Karatasi). The term also includes PALIPEHUTU-FNL (Rwasa), who is yet to enter a formal negotiation process. The JOP serves as a guideline, hence it is flexible. It can be modified by the JCC upon the recommendation of the Technical Coordination Committee (TCC).
- 20 On 21 May 2004 the UN Security Council unanimously adopted Resolution 1545 9 (2004) authorising a UN operation in Burundi (ONUB) for an initial six months. ONUB was deployed on 1 June and includes 200 military observers, 125 staff officers, 120 civilian police, as well as civilian personnel. The UN Deputy Emergency Relief Coordinator, Carolyn McAskie, was appointed the UN Secretary-General's special representative and chief of the mission.
- 21 Interview with MDRP official in Bujumbura on 21 June 2004.
- 22 Chapter one of Protocol IV (on Reconstruction and Development) of the Arusha Agreement provides for the rehabilitation and resettlement of refugees and disaster victims. The protocol therefore covers the interests of dependants.
- 23 Interview with JCC officials, Bujumbura, 22 June 2004.
- 24 For more background information on the developments in Burundi preceding the establishment of ONUB and the United Nations' role in the peace process, see the report of the Secretary-General to the Security Council dated 16 March 2004 (S/2004/210).
- 25 UN Security Council Press Release SG/SM/9351 AFR/963 of 8 June 2004.
- 26 See IRIN, 'Burundi: peace process reaches critical phase with launch of DDR process', at <<http://www.irinnews.org.asp?ReportID>> accessed on 5 June 2004.
- 27 Interview with a representative of the TGoB to the JCC in Bujumbura on 17 August 2004.
- 28 The author of this paper attended the sitting as guest researcher, courtesy of a Burundian journalist. Burundian journalists and foreign media representatives in Bujumbura also attended the meeting on 21 June 2004.
- 29 NCDRR was created under presidential decree No 100/127 of 28 August 2003, while its executive secretariat was established on 18 November 2003.
- 30 *Gardiens de la paix* (or guardians of peace) is a name that was given to young men recruited by the government local administration to protect the villages during the war. Under the DDR proposed framework, *gardiens de la paix* are also supposed to be allocated funds towards their reintegration into society.
- 31 See the report 'SE/CNDRR - Séance d'Information Des Médias', Bujumbura, 21 juin 2004.
- 32 A committee of senior military officers (*L'état major général Intégré*) was set up in January 2004, comprising 33 members of the TGoB with a mandate to work on modalities of establishing the new national armed forces. At the time of writing this paper the committee was still in its stages of working.
- 33 See the report 'SE/CNDRR - Séance d'Information Des Médias', op cit.
- 34 Ibid.
- 35 Ibid.
- 36 See 'Information de base sur le Programme National de Démobilization, de Réinsertion et Réintégration de Ex-Combatants', version du 2 février 2004.
- 37 Interview with NCDRR officials in Bujumbura on 28 June 2004.
- 38 IRIN, 'Burundi: government launches child soldiers' rehabilitation programme', 18 May 2004.
- 39 IRIN, 'Burundi: peace process reaches critical phase with launch of DDR process', op cit.
- 40 Ibid.
- 41 Interview with staff of CNVB in Bujumbura on 18 June 2004.
- 42 These statistics are based on the interview with a GTZ official in Bujumbura on 20 June 2004.
- 43 This information is from an interview with a GTZ representative in Bujumbura on 20 June 2004. GTZ is one of the agencies involved in supplying food to the ex-combatants in their pre-cantonment centres.
- 44 Interview with South African peacekeepers in Burundi, Bujumbura, 26 June 2004.
- 45 See IRIN, 'Burundi: peace process reaches critical phase with launch of DDR process', op cit.
- 46 Interview with Ministry of the Interior, Bujumbura, 18 June 2004.
- 47 Interview with a member of the Independent Electoral Commission (IEC), Bujumbura, 17 August 2004.
- 48 Ibid.
- 49 Le Rendez-vous de l'Afrique sur internet, <<http://www.africatime.com/Burundi/popup.asp?>> accessed on 27 October 2004.
- 50 Interview with CNDD-FDD (Nkurunzinja) member and government official in Bujumbura on 27 June 2004.
- 51 See IRIN, 'Burundi: government accedes to ex-rebel movement's demands', 4 May 2004.
- 52 *Small Arms Survey 2004*, A Project of the Graduate Institute of International Studies, Geneva, p 109.
- 53 International Crisis Group, 'End of the transition in Burundi: the home stretch', at <<http://crisisweb.org/home/index.cfm?id>> accessed on 16 June 2004.
- 54 'Report of the Security Council mission to Central Africa, 7 to 16 June 2003', S/2003/653, of 17 June 2003.
- 55 'Great Lakes - guns blaze, blood flows', in *BBC Focus on Africa Magazine*, op cit.

Map of Burundi



Map of Central Africa





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About this paper

This paper assesses the situation in Burundi with the focus on disarmament initiatives in the period up to the end of 2004. In order to elucidate the complexities involved in the disarmament process, which mirror those of the entire peace process, it first reviews the current situation in Burundi by examining the various structures in place with regard to disarmament. The paper further analyses the various hindrances standing in the way to a peaceful transition in Burundi, expected to take place in the first half of 2005. Various observations emerge at the conclusion of the paper.

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